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February 2, 2013

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20024

ENTERED
Office of Proceedings

FEB 22 2013

Part of
Public Record

Re: Allegheny Valley Railroad Company - Petition for Declaratory Order - The
Buncher Company, Respondant

FO 35239

Dear Ms. Brown:

Enclosed for your information is a copy of a letter from Mr. Russell Peterson, CEO of the Allegheny Valley Railroad Company advising the Buncher Company of its intent to proceed with reinstitution of rail service over its permanent rail easement between 16th and 21st Street in the Pittsburgh Strip District.

I thank you for your attention in this matter.

Very truly yours,

RICHARD R. WILSON, P.C.

Richard R. Wilson, Esq.
Attorney for Allegheny Valley Railroad Company

RRW/bab
Enclosure

cc: City of Pittsburgh

Urban Redevelopment Authority

Buchanan Ingersoll & Rooney, P.C.

Allegheny Valley Railroad Company

ALLEGHENY VALLEY RAILROAD EXPRESS
Allegheny Valley • Southwest Pennsylvania • Camp Chaso Railroad

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January 28, 2013

Mr. Thomas Balestricri, President and CEO
The Buncher Company
1300 Penn Avenue, suite 300
Pittsburgh, PA 15222

Re. Allegheny Valley Railroad Company Rail Line Reactivation Notice

Dear Mr. Balestricri,

As you will recall, on June 15, 2010, the Surface Transportation Board ruled that Allegheny Valley Railroad (hereinafter "AVR") retains an active rail easement over The Buncher Company property between 16th and 21st Street in the Pittsburgh Strip District. The purpose of this notice is to advise you that the AVR, pursuant to acquisition and operating authority issued by the Federal Surface Transportation Board in Finance Docket No. 32783, Allegheny Valley Railroad - Acquisition And Operation Exemption - Certain Lines of Consolidated Rail Corporation (served November 17, 1995), intends to reconstruct and operate its track over its railroad right-of-way as part of its plans to provide more flexible rail freight service and passenger service to downtown Pittsburgh.

AVR therefore requests that The Buncher Company remove any concrete barriers obstructing AVR's permanent rail easement and restrict parking to that portion of The Buncher Company's property that is not subject to AVR's permanent rail easement. AVR intends to utilize the full 90-foot width of its railroad right-of-way between 16th and 21st Streets. To the extent that any question exists regarding the precise dimensions of its permanent rail easement, AVR is prepared to use all legal means necessary to resolve those issues.

Should you have any questions in connection with this matter, please do not hesitate to contact me.

Very truly yours,

ALLEGHENY VALLEY RAILROAD COMPANY



Russell A. Peterson, CEO

Cc City of Pittsburgh
Urban Redevelopment Authority
Surface Transportation Board